

ACLU

AMERICAN CIVIL LIBERTIES UNION OF MARYLAND

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PRESS RELEASE

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Today, the American Civil Liberties Union of Maryland announced filing of a lawsuit on behalf of some of Maryland's poorest children to vindicate their Constitutional right to an adequate education.

The suit, Bradford v. Maryland State Board of Education, is brought under Article VIII, Section 1 of the Maryland State constitution, which guarantees all Maryland children a "thorough and efficient" education. In the class action lawsuit, filed in Baltimore City State Circuit Court, the ACLU is representing the ten's of thousand's of Baltimore City schoolchildren who are at risk of educational failure. Nineteen children from 12 schools are named as class representatives in the filing.

"The ACLU is concerned about the education provided all poor children in Maryland. But the problems in Baltimore City are more extreme than anywhere else in

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the state. Children in the city are being failed by the educational system in larger numbers and to a greater degree than any other children in the state," said Alan I. Baron, a partner in the D.C. law firm of Howrey & Simon, the firm that is acting as pro bono counsel with ACLU attorneys.

Following the findings of the Sondheim Commission in 1989, the State of Maryland adopted a comprehensive assessment system and data collection focused on educational outputs, such as attendance rates, dropout rates and test scores, rather than inputs, i.e., funding. The State's "Report Card" which is released each fall, shows which schools are failing to educate children to these objective output standards. Armed with this data, the ACLU seeks a court ruling that the State Constitution's requirement for a "thorough and efficient education" means an adequate education, as measured by contemporary educational standards, including the State's own standards. The lawsuit does not focus on the comparative fiscal disadvantage faced by Baltimore in relation to other jurisdictions in the state.

Similar lawsuits have been won in other states, including Kentucky and Alabama. In those case, the courts have ordered the school districts and the children's representatives to work on specific remedial programs to address their inadequate education. The ACLU will likewise ask the court to require all those responsible for educating the children to come up with a plan to guarantee an opportunity for an adequate education to all Baltimore City school children.

"Survival without a basic education in our society is nearly impossible. It is a shame that in the late 20th century, every day thousands of Maryland children are robbed of their futures," said Susan Goering, Legal Director of the Maryland ACLU. "We're doing this lawsuit for the kids," said Lawrence Fulton, parent of one of the plaintiff schoolchildren. # # #